

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
v.) **Case No. CR-18-246-R**
)
JAROD BEACH BROOK,)
)
Defendant.)

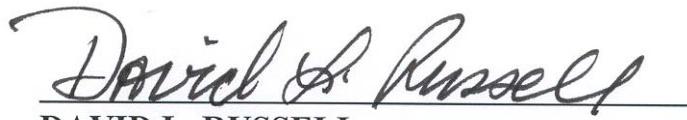
ORDER

Before the Court is the Defendant's Motion to File Suppression Motion Out of Time [Doc. No. 52]. For the reasons set forth herein, the Court finds the motion should be granted.

The motion represents that the Defendant was indicted on September 18, 2018. [Doc.25] Defense Counsel was appointed on November 26, 2018. Defense counsel, Counsel for co-defendant and AUSA Nicholas Patterson held a conference of the discovery on December 7, 2018. Defendant waived his right to speedy trial and trial date was continued. Status conference was held in chambers to discuss defendant Collins' Motion to Suppress and impending births of AUSA Patterson and Mr. Brook's Defense Counsel children in late-January/early February. On January 6, 2019 AUSA Patterson left for paternity leave and AUSA Ed Kumiega was assigned to this case. Defense Counsel has continued to receive discovery on behalf of the defendant.

The Court finds that, due to the circumstances of the Motion to File Suppression Motion Out of Time is in the best interest of justice. Further, the Court finds the period of delay caused by the granting of this motion is excludable for purposes of the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). Defendant has executed a waiver of his Speedy Trial Act rights, and the waiver has been filed of record. [Doc. No. 40].

IT IS SO ORDERED this 24th day of January 2019.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE